

**COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND**

Bill No. 03-39

Introduced by: Council Member Chenoweth

Legislative Day No. 03-21 Date: August 5, 2003

AN ACT to repeal and reenact, with amendments, Article XXV, Harford Center, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, councils and Agencies, of the Harford County Code, as amended; to increase the membership; to provide for a change in the membership; and generally relating to the Harford Center.

By the Council, August 5, 2003

Introduced, read first time, ordered posted and public hearing scheduled

on: September 2, 2003

at: 7:45 p.m

By order: Barbara J. Ruth, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on September 2, 2003, and concluded on September 2, 2003.

Barbara J. Ruth Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

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As Amended

1 Section 1. Be It Enacted by The County Council of Harford County, Maryland, that
2 Article XXV, Harford Center, be and it is hereby, repealed and reenacted, with
3 amendments, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards,
4 Commissions, Councils and Agencies, of the Harford County Code, as amended, to read
5 as follows:

6 Chapter 9. Boards, Commissions, Councils and Agencies.

7 Part 3. Authoritative Boards and Commissions.

8 Article XXV. Harford Center.

9 Section 9-156. Establishment.

10 There is hereby established a body corporate and politic, known as the "Harford
11 Center," an instrumentality of the county and a public corporation by that name, style and
12 title.

13 Section 9-157. Board of Directors established.

14 A. The Board of Directors of the Harford Center shall consist of [fourteen (14)] 15
15 persons, all of whom shall be citizens of the state and residents of the county.

16 B. There shall be the following ex officio Directors: the County Executive and a
17 member of the County Council selected by that body, the Director of the Department of
18 Social Services for the county, a representative selected by the County Board of
19 Education [, a medical doctor who shall be appointed for an indefinite term] and the
20 Health Officer for the county. A designee of any ex officio Director may serve in his
21 stead.

22 C. The Board of Directors shall be appointed by the County Executive upon
23 recommendation of the existing Board of Directors in the following manner: [two (2)] 2 3

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1 for [four-year] 4-YEAR terms, [two (2)] ~~2~~ 3 for [three-year] 3-YEAR terms, [two (2)] 2
2 for [two-year] 2-YEAR terms and [two (2)] 2 for [one-year] 1-YEAR terms. As the terms
3 of the Directors expire or as vacancies occur, their successors shall be appointed by the
4 County Executive upon recommendation of the Board of Directors. All appointments by
5 the County Executive under this section shall be subject to confirmation by the County
6 Council, in accordance with the Charter.

7 D. At least [two (2)] 2 and not more than [two (2)] 2 of the non-ex-officio Directors
8 shall be parents of handicapped children.

9 Section 9-158. Officers of Board.

10 Immediately after appointment, the Board of Directors of the Harford Center shall enter
11 upon their duties. The County Executive, pursuant to Section 313 of the Charter, shall
12 annually designate [one (1)] 1 of the Board members as Chairperson, subject to
13 confirmation by the County Council. The Board shall select [one (1) of its number] 1 OF
14 ITS MEMBERS as a Vice Chairperson. The Board may establish whatever other offices
15 it deems appropriate.

16 Section 9-159. Salaries and compensation of Board.

17 The Board of Directors of the Harford Center shall serve without compensation.

18 Section 9-160. Bylaws, rules and regulations of Board.

19 The Board of Directors of the Harford Center shall adopt bylaws for the orderly conduct
20 of its corporate affairs and whatever rules and regulations as necessary and appropriate to
21 the exercise of its powers in accomplishing the purposes of the Harford Center.

22 Section 9-161. Purposes.

23 The purposes of the Harford Center are:

1 A. For the general benefit of the citizens of the county and charitable in nature.

2 B. As an agency and instrumentality of the county government through which
3 programs and services are made available with both public and private funds and
4 resources to persons who are mentally retarded, physically handicapped or in need of any
5 form of rehabilitation related to mental or physical conditions.

6 C. For the establishment of a public corporate body as an operating entity with
7 public responsibility to construct, maintain and operate facilities and administer the
8 programs and functions for the education, training, supervision and custodial care of the
9 citizens of the county.

10 Section 9-162. Powers and duties.

11 In furtherance of the purposes of the Harford Center, it shall have the following powers:

12 A. To establish, maintain and operate a residential and day-care training and
13 rehabilitation center and any other facilities and services necessary for the proper care
14 and treatment of physically and mentally handicapped persons who are residents of the
15 county.

16 B. To accept gifts, legacies, bequests or endowments for the purposes of the Harford
17 Center. Unless otherwise specified by the donor making the gift, legacy, bequest or
18 endowment, the Board, in its discretion, may expend both principal and income of any
19 gift, bequest, legacy or endowment to support the Harford Center training and
20 rehabilitation programs.

21 C. To acquire and hold real and personal property in its corporate name or in the
22 name of the county, by any means, and to sell or otherwise dispose of any property so
23 acquired and to preserve and administer those properties.

1 D. To provide adequate facilities and services for the rehabilitation and training of
2 the physically and mentally handicapped citizens of the county, to include educational
3 and special educational services, rehabilitation and training programs, residential and
4 day-care facilities, medical, nursing and recreational services and other similar activities,
5 and the dissemination of information relative to the causes and prevention of physical and
6 mental handicaps.

7 E. To establish and collect fees and charges for institutional use and services
8 rendered and to expend the income therefrom for the support of facilities and the
9 providing of services. It is not intended, however, that the operations, functions and
10 programs of the Harford Center shall be self-supporting, but the Board of Directors is
11 authorized to establish, by its rules, regulations and policies, fees and charges that are
12 deemed appropriate and may be related to ability to pay.

13 F. To apply all money, assets, property or other things of value it may receive to the
14 general purposes of the Harford Center.

15 G. To cooperate with and assist, insofar as practicable, any agency of the state, the
16 United States of America, any subdivision of either or any private agency or person in
17 furtherance of any of the purposes of this Article.

18 H. To employ an administrator and other employees as may be required for its
19 operations and to establish their qualifications, salaries and employee benefits.

20 I. To integrate its facilities with, accept funds from and cooperate with the State
21 Department of Health and Mental Hygiene in all facets of its operations, insofar as
22 deemed advisable by the Board of Directors, and to conform to the regulations of the
23 Department.

1 J. To establish a close liaison with private organized groups interested in physically
2 and mentally handicapped persons for the purpose of strengthening the endeavors of
3 those groups and enlisting their assistance in aiding the Harford Center and its programs.

4 K. To exercise any power usually possessed by private corporations in performing
5 similar functions, which is not in conflict with the Constitution and the laws of the state,
6 and do all things necessary and convenient to carry out the powers expressly granted by
7 this Article.

8 Section 9-163. Compliance.

9 All facilities constructed by the Harford Center in furtherance of its purposes and in the
10 exercise of its power shall be constructed in accordance with state and local laws and the
11 regulations promulgated thereunder, and in particular Article 78A, § 51 et seq., Article
12 43, § 707 et seq., and other sections of Article 43 of the Annotated Code of Maryland,
13 1957, as pertinent.

14 Section 9-164. Finances.

15 The activities of the Harford Center shall be supported insofar as possible by citizen
16 support, voluntary contributions, fees and charges and payments from the state and
17 federal government. The County Council is authorized to make annual appropriations in
18 support of the operations of the Harford Center in furtherance of the objective of aiding
19 and rehabilitating the physically and mentally handicapped citizens of the county. In
20 further support of the objectives of the Harford Center, the County Council may make
21 appropriations for land acquisition and capital improvements or borrow funds for these
22 purposes and issue individual notes, bonds or other evidences of indebtedness.

23 Section 9-165. Reports.

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1 The Board of Directors of the Harford Center shall annually report its activities to the
2 County Executive, together with a detailed financial statement of all money received and
3 expended, with recommendations and requests it may deem appropriate to achieve the
4 objectives and purposes of the Harford Center.

5 Section 9-166. Alternate program.

6 Nothing contained in this Article is intended to prohibit the county from recognizing a
7 private nonprofit corporation as its administrative agent for the aid to the retarded or
8 handicapped under appropriate terms and conditions and from granting funds to any
9 public or nonprofit corporation for any type of service contemplated by this Article.

10 Section 2. And Be It Further Enacted, that this Act shall take effect 60 calendar days
11 from the date it becomes law.

12

EFFECTIVE: November 7, 2003

*The Council Administrator does hereby certify that
fifteen (15) copies of this bill are immediately
available for distribution to the public and the press.*

Barbara J. Ruth

Council Administrator

HARFORD COUNTY BILL NO. 03-39 aa

Brief Title Harford Center Board of Directors

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. Ruth
Council Administrator

Date September 2, 2003

ENROLLED

Robert S. Wagner
Council President

Date Sept. 2 03

BY THE COUNCIL

Read the third time.

Passed: LSD 03-22

Failed of Passage: _____

By Order

Barbara J. Ruth
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 4th day of September, 2003 at 3:00 p.m.

Barbara J. Ruth
Council Administrator

BY THE EXECUTIVE

James M. Harkins
COUNTY EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date Sept. 8, 2003

BY THE COUNCIL

This Bill No. 03-39aa, having been approved by the Executive and returned to the Council, becomes law on September 8, 2003.

EFFECTIVE: November 7, 2003

Barbara J. Ruth
Barbara J. Ruth, Council Administrator